

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MEMO ENDORSED

MARQUIS PHILLIPS,
Plaintiff,

— AGAINST —

EDWIN POLANCO,
CORRECTION OFFICER SERGEANT;
LINDSEY E. LEGENDS,
ASSISTANT DEPUTY SUPERINTENDENT FOR MENTAL HEALTH,
INDIVIDUALLY AND IN THEIR OFFICIAL CAPACITY,
DEFENDANTS.

MOTION FOR
DEFAULT
JUDGMENT

CASE No: 24-CV-2152
(KMK)

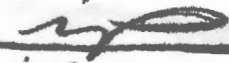
Plaintiff MARQUIS PHILLIPS MOVES THE COURT TO ENTER A DEFAULT JUDGMENT AGAINST DEFENDANT EDWIN POLANCO FOR \$1,100,000.00, AND STATES:

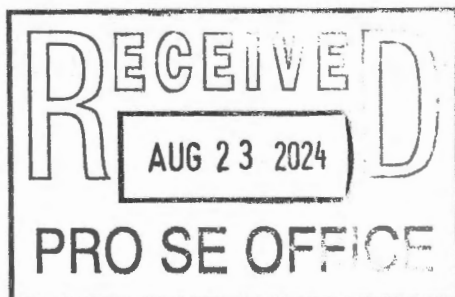
1. A DEFAULT HAS BEEN ENTERED AGAINST DEFENDANT EDWIN POLANCO FOR FAILURE TO ANSWER OR OTHERWISE DEFEND IN THE ABOVE ENTITLED MATTER.

2. DEFENDANT EDWIN POLANCO IS NOT IN THE MILITARY SERVICE AS SHOWN BY THE ATTACHED DECLARATION.

JULY 31, 2024,
ATTICA, NEW YORK.

RESPECTFULLY SUBMITTED,

* 
Plaintiff, PRO SE
MARQUIS PHILLIPS, 1244710
ATTICA CORRECTIONAL FACILITY
P.O. BOX 149
ATTICA, NEW YORK 14011-0149



Plaintiff's application for a default judgment against Defendant Edwin Polanco is denied without prejudice in light of Plaintiff's failure to comply with the Court's Individual Rules of Practice for Default Judgment Proceedings. Plaintiff's application did not include, at minimum, the required proposed Order to Show Cause, statement of damages, explanation of the basis for each element of damages Plaintiff seeks, or any legal authority for why an inquest would be unnecessary here. Moreover, the Court notes that Plaintiff did not establish that Defendant Polanco has been properly served. The Clerk is respectfully asked to terminate the pending motion. (*See* Dkt. No. 55.)

SO ORDERED.

A handwritten signature in black ink, consisting of the letters 'KMK' in a stylized, cursive font.

9/3/2024